

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 In Re: New York City Policing During Summer :
 2020 Demonstrations

ORDER
 20 Civ. 8924 (CM) (GWG)

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GABRIEL W. GORENSTEIN, United States Magistrate Judge

Discovery Sanctions

As set forth on the record at the conference held on February 11, 2022, the defendants violated two orders relating to discovery issued at Docket ## 359 and 365. The Court has ordered, as a sanction pursuant to Fed. R. Civ. P. 37(b)(2), that the defendants shall pay the attorneys' fees incurred by Remy Green and Rob Rickner, respectively, in bringing those violations to the Court's attention. If the parties cannot agree on the amount of fees, Green and Rickner may apply to the Court for determination of the fees. The Court reserves decision on the appropriateness of additional sanctions for other conduct raised by the plaintiffs.

Audit Trail Logs (ECF # 379)

On or before February 25, 2022, the defendants shall consult with the plaintiffs and attempt to agree upon search terms for the audit trail logs for body worn camera footage. This meeting shall be attended by employees of the NYPD who are personally familiar with the audit trail log technology. Production shall occur within 14 days thereafter. If agreement on appropriate search terms cannot be reached, the plaintiffs may seek relief from the Court.

Document Production Schedule

On or before February 25, 2022, the defendants shall provide to the plaintiffs a chart showing for each pending document request the following information: (1) a description of responsive documents to which there is no objection to production; (2) a description of responsive documents that the City declines to produce (if any), a statement of the objection, and, if the objection it relates to burden, a detailed description of that burden (which may be accompanied by any proposal by the defendants for a non-burdensome way to obtain some portion of the documents).¹

Deadline for Production

Unless the Court has previously ordered otherwise, all documents responsive to document requests to which there is no objection shall be produced by March 18, 2021.

¹ If the defendants maintain that documents responsive to a particular request have already been produced, the defendants shall identify the production where this occurred.

SO ORDERED.

Dated: New York, New York
February 18, 2022



GABRIEL W. CORENSTEIN
United States Magistrate Judge